



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 12, 2012

KELLY LAWLER, TREASURER
CAMPAIGN TO DEFEAT BARACK OBAMA
PO BOX 984
WILLOWS, CA 95988

Response Due Date
10/17/2012

IDENTIFICATION NUMBER: C00495010

REFERENCE: AMENDED APRIL MONTHLY REPORT (01/01/2012 - 03/31/2012),
RECEIVED 05/20/2012

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 5 item(s):

1. Itemized disbursements must include a brief statement or description of why each disbursement was made. Please amend Schedule B supporting Line 21(b) of your report to clarify the following description(s): "PAC Consultant," "PAC Consulting," "PAC Consulting, Travel and Phone," "PAC Consulting and Design," "PAC Consulting and Travel," and "PAC Consulting Services." For further guidance regarding acceptable purposes of disbursement, please refer to 11 CFR 104.3(b)(3)(i).

Additional clarification regarding inadequate purposes of disbursement published in the Federal Register can be found at http://www.fec.gov/law/policy/purposeofdisbursement/inadequate_purpose_list_3507.pdf.

2. Schedule D supporting Line 10 of your report discloses debts incurred this period totaling \$76,406.41 owed to "Russo Marsh & Associates, Inc." for apparent independent expenditures. However, a MEMO Schedule E has not been provided. Please be advised that if a communication is aired in one reporting period and the payment is made in a later reporting period, the independent expenditure should be reported as a memo entry on Schedule E when the communication is publicly disseminated or distributed, and on a Schedule D if it is a reportable debt under 11 CFR §104.11. Subsequently, when the payment for the independent expenditure is made, the report should

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show a payment on Schedule E and the same payment on Schedule D, if applicable. Please amend your report to clarify this apparent discrepancy or provide clarifying information regarding the nature of this debt. (11 CFR §104.4)

3. Line 24 of the Detailed Summary Page of your report discloses a total of \$95,337.80 in disbursements. The sum of the entries itemized on Schedule E, however, indicates the total to be \$130,120.77. Please amend your report to clarify the discrepancy. (11 CFR § 104.3(a) and (b))

4. The independent expenditure schedule (Schedule E) should disclose the following information: the name and mailing address of the payee, the purpose of the expenditure, the date of payment, the amount of payment, the name and office sought, state and district (if applicable) of the federal candidate, the calendar year-to-date, per election, for office sought total, the election designation, an indication of whether the candidate was supported or opposed and the signature of the treasurer. Please amend Schedule E by providing the state. (11 CFR §104.3(b)(3)(vii)). Please be advised that each State's Presidential primary is considered a separate election for purposes of aggregating independent expenditures. Advisory Opinion 2003-40.

5. Your committee filed 48 hour reports informing the Commission of independent expenditures made in support or opposition of federal candidates with "Russo Marsh & Associates, Inc." as the payee. However, the amounts, dates of public dissemination, and office sought information (state) disclosed on these reports do not appear to correlate with the entries on Schedule E, supporting Line 24 for the reporting period. If your committee has filed 48 hour reports supporting independent expenditures not reflected on your reports, you must file Schedule E during the appropriate reporting period to disclose these payments. Please amend your report to clarify this discrepancy and provide further information concerning these reports. (11 CFR §104.4)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

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Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1169.

Sincerely,



Kevin Fortkiewicz
Campaign Finance Analyst
Reports Analysis Division